

SIKKIM GOVERNMENT



GAZETTE

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GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK

No. 56/Home/2009

Dated 22/05/2009

NOTIFICATION

In exercise of the powers conferred by section 7 of the Sikkim Tenants and Domestic and Professional Helps (Compulsory Verification) Act, 2008 (33 of 2008), the State Government hereby makes the following rules, namely:-

Short title and commencement

1. (1) These rules may be called the Sikkim Tenants and Domestic and Professional Helps (Compulsory Verification) Rules, 2009.
- (2) They shall come into force with effect from the 1st day of September 2009.

Definitions

2. In these rules, unless the context otherwise requires –
 - (a) "Act" means the Sikkim Tenants and Domestic and Professional Helps (Compulsory Verification) Act, 2008 (33 of 2008);
 - (b) "Form" means a form appended to these rules;
 - (c) Words and expressions not defined in these rules but defined in the Act shall have the same meaning respectively assigned to them in the Act.

Application under section 3 for tenants

3. The house owner or an agent acting on his behalf shall make an application in Form -I duly signed by the house owner, to the Officer-in-Charge of the Police of the Station having jurisdiction, in respect of all the tenants for verification of antecedents.

Document to be enclosed with application where Police verification of tenant is required

4. An attested photocopy of a photo identity card or any other document with the name, photograph and permanent address of the tenant, issued by or under the authority of the Central Government or a State Government, should be submitted along with Form-I in respect of tenants whose verification of antecedents is required under the provision of sub-section (2) of section 3 of the Act.

Document to be enclosed with application where Police verification of tenant is not required

5. In respect of tenants whose verification of antecedents is not required under the proviso to sub-section (2) of section 3 of the Act, the application in Form-I shall be accompanied by any one of the following documents, namely:-

- (i) Sikkim Subject Certificate;
- (ii) Certificate of Identification;
- (iii) Voter's identity card or ration card issued by a competent authority of the Government of Sikkim;
- (iv) a certificate from the Head of Office of the Government or Public Sector Undertaking in Sikkim testifying the posting of the tenant under the said Head of Office;
- (v) an attested photocopy of the relevant pages of the Pension Pay Book containing the photograph and address of the tenant if he is a retired official of the Central or a State Government organization.

Application for domestic or professional help under section 4

6. The employer shall make an application in Form-II to the Officer-in-Charge of the Police Station in having jurisdiction in respect of the domestic or professional help for verification of his/her antecedents.

Document to be enclosed with applications where police verification of domestic or professional help is required

7. An attested photocopy of a photo identity card or any other document with the name, permanent address and the photograph, of the domestic or professional help issued by or under the authority of the Central Government or a State Government, should be submitted along with an application in Form-II in respect of a domestic or professional help whose verification of antecedents is required under the provision of section 4 of the Act.

Document to be enclosed with applications where Police verification of Domestic or professional helps is not required

8. In respect of domestic or professional help whose verification of antecedents is not required under the proviso to section 4 of the Act, the application in Form-II shall be accompanied by any one of the following documents namely:-
- (i) Sikkim Subject Certificate;
 - (ii) Certificate of identification;
 - (iii) Voter's identity card or ration card issued by a competent authority of the Government of Sikkim;
 - (iv) a certificate issued by a District Collector of Sikkim to the effect that the domestic or professional help is a permanent resident of the State;
 - (v) a valid photo identity card issued under the authority of the Central Government or a State Government or a Public Sector Undertaking;
 - (vi) an attested photocopy of the relevant pages of the Pension Pay Book containing the photograph and address of the domestic or professional help if he is a retired official of a Government or State Government organization;
 - (vii) a document to prove that the domestic or professional help is a dependent of a serving or retired official of the Central or State Government organization located in Sikkim.

Two copies of application to be submitted where

9. In all cases where the verification of antecedents as in respect of tenant and domestic or professional help is required under section 3 or 4 of the Act, the application in Form-I or Form-II, as the case may be, shall be submitted in duplicate.

Acknowledgement to be given on photo copy of application

10. In all cases whether the verification of antecedents is required to be carried out or not, the applicant shall also present to the Police Station having jurisdiction a photocopy of the application, which shall be returned to the applicant duly acknowledging the receipt of the application, mentioning the register number and date of receipt thereof in the Police Station.

Fee payable and manner of payment of fee

11. (1) The following fees shall be paid by the house owner or the employer as the case may be, in respect of each application made under rule 3 and rule 6, namely:-

(a) where the verification of antecedents is not required under the first proviso to sub-section (2) of section 3 and under the proviso to section 4 of the Act, Rs. 25/- (Rupees twenty- five);

(b) where the verification of antecedents is required to be carried out within Sikkim, Rs. 100/- (Rupees one hundred).

(c) where the verification of antecedents is required is to be carried out outside Sikkim, Rs. 150 (Rupees one hundred fifty).

(2) The fee shall be paid in advance in any branch of State Bank of Sikkim under revenue head 0050-Police-103 Fees, fines and forfeitures, and the Bank Receipt in original shall be attached to the application form.

Police Station to keep record of applications

12. Each Police Station having jurisdiction shall maintain separate record of all applications received by it under rules 3 and 6 in Form-III. Such record shall be sub-divided locality-wise for easy retrieval of information at a later stage. (Electronic data as far as practicable).

Police stations to pursue verification report

13. In case of non-receipt of verification of antecedents report within a period of 60 (sixty) days from the date of issue of the requisition, the Officer-in-Charge of the Police Station having jurisdiction shall send reminder to the concerned Police authority for early verification report.

Action where Police verification is not received within 120 days

14. In all cases where the verification of antecedents report is not received within a period of 120 (one hundred and twenty) days, the matter shall be reported by the Officer-in-Charge of the Police Station having jurisdiction to his District Superintendent of Police for further action.

(Jasbir Singh)
Principal Secretary/Home
File No. Home/Confdl/219/2008/1

SIKKIM TENANTS AND DOMESTIC AND PROFESSIONAL HELPS
(COMPULSORY VERIFICATION) RULES, 2009

FORM – I
(see rule 3)

(To be submitted in duplicate when verification of antecedent is required, and a single copy when verification of antecedent is not required)

Particulars of the tenant

1	Name		Age:
2	Father's name		Photograph of the tenant (without colour specs)
3	Permanent address	Village :	
		Tehsil :	
		Post office :	
		Police Station :	
		District :	
		State :	
		Phone No. :	
4	Profession(Please tick)	(i) Govt. Servant (ii) Public Sector Undertaking Employee (iii) Retired Govt. Servant (iv) Professional practising in Sikkim (v) Retired PSU Employee (vi) Businessman/Self-employed (vii) Private employee (viii) Others (specify)	

5. (i) If the tenant is a serving Government or Public Sector Undertaking employee, attach a certificate from his Head of Office, and mention the No. & date here:
- OR
- (ii) If the tenant is a retired Government or Public Sector Undertaking, attach an attested copy of the relevant pages of the Pension Pay Book containing the name and photograph.
- OR
- (iii) If the tenant holds Sikkim Subject Certificate/Certificate of identification/ Voter's Identity Card or Ration Card issued by a Competent Authority of the Government of Sikkim, attach an attested copy and give the details below:

.....

6. Particulars of dependents (spouse, children, spouses of children, parents, grand parents, grand children and blood relations of the tenant who reside with the tenant)

Sl. No.	Name	Age	Relationship with the tenant	Profession
i				
ii				
iii				
iv				
v				
vi				
vii				

7. Particulars of the place of residence of the tenant during the past 12 (twelve) months

Sl. No.	From	To	Address where resided
i			
ii			

8. If the tenant had resided under the jurisdiction of another Police Station in Sikkim, and Police Verification had been carried out, give the name of the Police Station:

I certify that the particulars mentioned above are true to the best of my knowledge and belief.

Date:

(Signature of the Tenant)

9. Particulars of the premises where tenancy is granted

Door No./Building Name	Road	Locality

10. Particulars of the house owner

i	Name	
ii	Father's//Husband's name	
iii	Address	
iv	Phone number	

11. Particulars of the agent of the house owner who submits this application

i	Name	
ii	Father's//Husband's name	
iii	Address	
iv	Phone number	

12. Details of documents enclosed (photocopies to be attested):

- (i). Bank Receipt No. _____ dated _____ for Rs. _____ (in original)
- (ii).
- (iii).

Date:

(Signature of the House Owner)

FOR OFFICIAL USE

Register Serial No. _____

Date _____

Verification is dispensed with in terms of Section _____ of the Act for reasons mentioned below: _____

OR

One copy has been forwarded to _____ for verification and report vide letter No. _____ dated _____

(Signature of Officer-in-Charge Police Station)

**SIKKIM TENANTS AND DOMESTIC AND PROFESSIONAL HELPS (COMPULSORY
VERIFICATION) RULES, 2009**

**FORM – II
(see rule 6)**

**(To be submitted in duplicate when verification of antecedent is required, and a single copy
when verification of antecedent is not required)
Particulars of the Domestic/Professional Help**

1	Name in full				Photograph of the Domestic/ Professional Help (without colour specs)
2	Alias, if any				
3	Date of birth				
4	Profession				
5	Father's name				
6	Spouse's name				
7	Permanent address	Village : Tehsil : Post office : Police Station : District : State : Phone No. :			Signature/thumb impression of Domestic/ Professional help
8	Address where the Domestic/ Professional help resided during the past 24 months	From	To	Full address	
9	Place where the Domestic/Professional Help is being employed	(i) Place of residence of the employer applicant (ii) Office/Establishment of the employer applicant (iii) Land of the employer applicant (iv) Vehicle of the employer applicant (v) Vessel or aircraft of the employer applicant			Sl. Nos. (i) to (iii): Give address below. Sl. Nos. (iv) & (v): Give the place of operation and the type and registration No. of the vehicle/aircraft below

10	Whether the Help holds any of these documents (if so, tick and attach an attested copy)	(i) Sikkim Subject Certificate (ii) Certificate of Identification (iii) Certificate issued by District Collector that the Help is permanent resident of Sikkim. (iv) Voter's Identity Card issued by a Competent Authority of Government of Sikkim (v) Ration Card issued by a Competent Authority of Govt. of Sikkim (vi) A photo identity card/document issued under the authority of the Central Govt. a State Government or a Public Sector Undertaking
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11. (i) If the Domestic/Professional Help is a retired official of the Central or a State Government organization, attach an attested photocopy of the Pension Payment Book containing the name and photograph, and mention the details below:

.....

OR

- (ii) If the Domestic/Professional Help is a dependent (spouse, son/daughter, spouses of children, parents, grand children or blood relation) of a serving official of the Central or a State Government organization, attach attested photocopy of the following documents, namely (a) a document to prove the employment of the official in a Central or State Government organization; (b) a document to prove the relation of the Domestic/Professional Help with the said official.

OR

- (iii) If the Domestic/Professional Help is a dependent (spouse, son/daughter, spouses of children, parents, grand children or blood relation) of a retired official of the Central or a State Government organization, attach attested photocopy of the following documents, namely (a) the relevant pages of the Pension Payment Book of the retired official, containing his name and photograph; (b) a document to prove the relation of the Domestic/Professional Help with the said retired official.

12. If the Domestic/Professional Help had been employed under the jurisdiction of another Police Station in Sikkim, and Police verification had been carried out, give the name of the Police Station:.....

13. Particulars of the Employer

i	Name	
ii	Father's /Husband's name.	
iii	Address	

14. Details of documents attached (photocopies to be attested):

- (i) Bank Receipt No. _____ dated _____ for Rs. _____ (in original)
 (ii) _____
 (iii) _____

Date: _____

(Signature of the Employer)

FOR OFFICIAL USE

Register Serial No. _____

Date _____

Verification is dispensed with in terms of Section ____ of the Act for reasons mentioned below:

OR

One copy has been forwarded to _____ for verification and report vide
letter No. _____ dated _____

(Signature of Officer-in-Charge Police Station)

Form III

See rule 12(i)

Register of receipt of applications

1. Sl. No.
2. Date
3. Name and address of the house owner/employer of Help
4. Name and permanent address of the Tenant or the Help
5. If Police verification is not initiated, the reason thereof
6. Reference No. and date of request sent for Police Verification
7. To whom the request for Police verification is sent
8. No. and date of Police Verification received
9. Remarks

Note: (i) Separate registers shall be used for tenants and Domestic/Professional Helps.
(ii) The register shall be subdivided for effecting entries locality-wise.